

verdict of the jury, or decision of the justice, from which such appeal is taken. Within two days after such appeal is taken, the transcript shall be filed by the justice, in either the district court or the court of common pleas of the county of Ramsey. Thereupon the said action may be brought to trial by either party, at any special or general term of said court, by giving to the other party three days notice in writing of such trial. Upon the filing of said transcript, the court in which the same is filed shall have complete jurisdiction of said action, and may hear either at term or at chambers, any motion or application therein made by either party, provided two day's notice in writing of such motion or application shall have been given to the other party.

SEC. 2. In every case of appeal aforesaid, the court shall if necessary order a special venire to issue, to the sheriff of the county, commanding him to summon from the county at large, a number therein named of competent persons to serve as jurors, in the trial of said action. Special venire.

SEC. 3. That this act shall be in force from and after its passage. When act to take effect.

Approved March 5, 1874.

CHAPTER LXVIII.

AN ACT TO AMEND CHAPTER SEVENTY-FIVE OF THE GENERAL STATUTES OF THE STATE OF MINNESOTA.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section one of chapter seventy-five of the general statutes of Minnesota shall be amended so as to read as follows :

Sec. 1. An action may be brought by any person in possession by himself, or his tenant, of real property, against any person who claims an estate or interest therein, or lien upon the same adverse to him, for the purpose of determining such adverse claim, estate, lien, or interest; and any person having or claiming title to vacant or unoccupied real estate, may bring an action Action to determine adverse claim to real property

against any person claiming an estate or interest therein adverse to him, for the purpose of determining such adverse claim and the rights of the parties respectively.

When act to take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 9, 1874.

CHAPTER LXIX.

AN ACT TO AMEND CHAPTER NINETY OF THE GENERAL STATUTES OF THIS STATE ENTITLED LIENS.

Be it enacted by the Legislature of the State of Minnesota:

Party performing labor or furnishing materials shall have lien.

SECTION 1. Section one of chapter ninety of the general statutes of this state is hereby amended by adding at the end thereof the following provisions: Whoever furnishes any labor, skill or material for constructing, altering or repairing any line of railway, or for constructing, altering or repairing any bridge, telegraph, depot, fences or other structure appertaining to any line of railway, by virtue of any contract with the owner, or with any party authorized by the owner of such line of railway, or by virtue of any subcontract with any original contractor with such owner, or with such authorized party, shall have a lien to secure the payment for such labor, skill and material upon all such line of railway, and upon all franchises, privileges and immunities, and upon all bridges, depots, telegraphs, fences and other structures, and upon all right of way appertaining to such line of railway.

SEC. 2. Section seven of said chapter is hereby amended so as to read as follows:

Account to be recorded in office of register of deeds.

Sec. 7. Any person, copartnership or corporation, entitled to a lien under the provisions of section one aforesaid, shall make an account in writing of the item or items of labor, skill, materials or machinery furnished, and, after oath being made to the correctness thereof by the party furnishing the same, or by the agent of such party, shall, within one year from the time of the furnishing of such labor, skill, materials or machinery, file the same in